

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:03CV493-01-MU

HAYWOOD WILLIAMS,

Plaintiff,

v.

IGRAIN PADILLA et al.,

Defendants.

ORDER

THIS MATTER comes before the Court upon the Defendants' Motion for Summary Judgment, filed July 25, 2005.

On June 13, 2005, the Court sent the Plaintiff an Order in compliance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975). In the Roseboro Order, the Court notified the Plaintiff that Defendants had filed a Motion for Summary Judgment and that if the Plaintiff failed to respond to this motion within thirty days, the Court might grant the Motion for Summary Judgment. As of this date, over thirty days since the filing of the Roseboro Order, Plaintiff has failed to respond to Defendants' Motion. The Court has carefully reviewed the Defendants' thorough and well-reasoned Motion for Summary Judgment and for the reasons set forth therein finds that Defendants are entitled to a dismissal.

THEREFORE, IT IS HEREBY ORDERED that:

1. Defendants' Motion for Summary Judgment is **GRANTED**; and
2. Plaintiff's Complaint is **DISMISSED**.

Signed: September 2, 2005

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

